

PARKS KNOWLTON LLC

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CENTRAL FAX CENTER

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FACSIMILE TRANSMITTAL SHEET

TO:	Mail Stop AF	FROM:	J. Perry Herndon
COMPANY:	USPTO	DATE:	August 30, 2006
FAX NUMBER:	571 273 8300	TOTAL NO. OF PAGES INCLUDING COVER:	26
PHONE NUMBER:		SENDER'S REFERENCE NUMBER:	C01-0039-000
RE:		YOUR REFERENCE NUMBER:	

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Application No.: 10/044,386
Filed: December 26, 2002
Inventor: Frerking et al.
Title: System and Method for Providing Flexible Data Rate
Transmission in a Telecommunication System

Attached hereto are the following:

1. Response to Ex Parte Quayle Action dated August 1, 2006

1117 PERIMETER CENTER WEST, SUITE W307
ATLANTA, GEORGIA 30338
(678) 325-6601

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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CENTRAL FAX CENTER
AUG 30 2006In re Application of: **Frerking, Melvin D. et al.**

Art Unit: 2663

Application No.: **10/044,386**

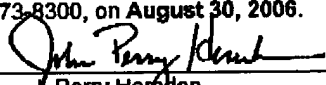
Examiner: Ng, Christine Y.

Filed: **December 26, 2002**

Confirmation No. 8941

For: **SYSTEM AND METHOD FOR
PROVIDING FLEXIBLE DATA RATE
TRANSMISSION IN A
TELECOMMUNICATION SYSTEM**

Attorney Docket No.: C01-0039-000

CERTIFICATE OF TRANSMISSIONMail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450I hereby certify that this correspondence is being
transmitted by facsimile to the Patent and Trademark
Office in accordance with 3 C.F.R. § 1.6(d), to Fax No.
(571) 273-8300, on August 30, 2006.
J. Perry Herndon
No. 54,706AMENDMENT TRANSMITTAL LETTER

Sir,

Transmittal herewith is/are the following in the above-identified application:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Response to Office Action | <input type="checkbox"/> Petition to Extend Time |
| <input type="checkbox"/> Fee as calculated below | <input type="checkbox"/> Supplemental Declaration |
| <input checked="" type="checkbox"/> No Additional Fee Required | <input type="checkbox"/> Terminal Disclaimer |
| <input type="checkbox"/> Corrected Drawings | <input type="checkbox"/> Other _____ |

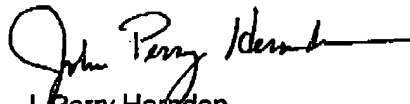
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	37	52	0	X \$50.00	\$0.00
Independent Claims	16	16	0	X \$200.00	\$0.00
<input type="checkbox"/> First Presentation of a Multiple Dependent Claim				+ \$360.00	\$0.00
<input type="checkbox"/> Reduction by 1/2 for filing by SMALL ENTITY (Note 37 C.F.R. §1.9, §1.27, §1.28) -					- \$0.00
TOTAL FEE DUE					\$0.00

Application No.: 10/044,386
Filed: December 26, 2002
AMENDMENT TRANSMITTAL LETTER

Payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Payment by credit card in the amount of \$0.00 for the fees designated above.
(Form PTO-2038 enclosed). **WARNING:** Information on this form may become public.
Credit card information should not be included on this form. Provide credit card
information and authorization on PTO-2038.
- ☐ The Commissioner is authorized to charge our Deposit Account No. 50-3447 in
the amount of \$_____ to cover the above-listed additional fees. A duplicate copy
of this transmittal is enclosed.
- ☒ In the event of an overpayment or improper payment of a required fee, the
Commissioner is authorized to charge or credit our Deposit Account No. 50-3447
as required to correct the error.

Respectfully submitted,


J. Perry Herndon
Registration No. 54,706
Attorney for Applicant

Dated: August __, 2006
PARKS KNOWLTON LLC
1117 Perimeter Center West
Suite E402
Atlanta, Georgia 30338
(678) 325-6601 main
(678) 325-6605 facsimile
Attorney Docket No.: C01-0039-000

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 30 2006

In re application of:)
FRERKING, Melvin D., et al.)
Application No.: 10/044,386)
Filed: December 26, 2002)
For: System and Method for Providing)
Flexible Data Rate Transmission in a)
Telecommunication System)

Group Art Unit: 2663

Examiner: NG, Christine Y.

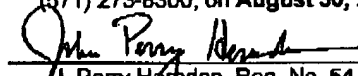
Confirmation No.: 8941

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Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Attorney Docket No.: C01-0039-000

CERTIFICATE OF TRANSMISSION

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Office in accordance with 3 C.F.R. § 1.8(d), Fax No.
(571) 273-8300, on August 30, 2006.


J. Perry Herndon, Reg. No. 54,706

AMENDMENT AND RESPONSE TO EX PARTE QUAYLE ACTION

Sir:

In response to the Ex Parte Quayle Action dated August 1, 2006 please amend the
above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on
Page 2 of this Response.

Remarks begin on Page 21 of this Response.